IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.3129 OF 2004

Mr. M.H. Aiyubi ..Petitioner.

Vs.

The Regional Executive Director & anr. .. Respondents.

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Mr. O.S. Kutty for the petitioner.
Mr. J.S. Saluja i/b M/s.. M.V. Kini & Co. for respondent No.1.
Mr. Rajiv Chavan with Ms. Neeta Masurkar for respondent No.2.

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CORAM : DALVEER BHANDARI, C.J.&
DR.D.Y.CHANDRACHUD, J.

9th December, 2004.

P.C. :

The petitioner was serving with the respondent as manager. He has served the Airport Authority for 37 years. On humanitarian ground, he has moved this Court with a prayer that his children are studying in various schools and if he is forced to leave the premises, this all would be disturbed.

2. The petitioner has submitted that he is prepared to pay the penal rent in accordance with the rules. He also undertakes to give vacant and peaceful possession of the quarter in question on or before 30th June, 2005. He further undertakes not to induct any

third party in the quarter. The petitioner also undertakes to pay the entire arrears of rent within two weeks from today and the entire amount which would be due and payable to him on 30th June, 2005 on or before 31st January, 2005. The undertaking to be filed within a week.

3. In view of the aforesaid order, no further directions are necessary. The petition is accordingly disposed of.

4. It is made clear that if the rent as directed by us is not paid, the the respondents would be at liberty to take appropriate steps to get the petitioner evicted from the quarters in question.

CHIEF JUSTICE

DR.D.Y.CHANDRACHUD,

J.